

IFW

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE  
STATEMENT**

Docket Number:

**2664/63005**

Application Number

**10/800,291**

Filing Date

**March 12, 2004**

Examiner

**To be assigned**

Art Unit

**1614**

Invention Title

**STABLE PHARMACEUTICAL COMPOSITIONS  
OF DESLORATADINE**

Inventor(s)

**Zoltan G. TOTH, et al.**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: Sept. 17, 2004 Signature: Shan Huang

Sir:

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
2. Copies of patents, publications or other information listed on the modified PTO Form 1449 are enclosed, unless indicated otherwise. Copies of each U.S. patent and patent application publication listed on the modified PTO Form No. 1449 are not enclosed since the present application was filed after June 30, 2003.
3. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due the Commissioner is authorized to charge deposit account number **11-0600** for such fees.

Dated:

Sept. 17, 04

By:

Payam Moradian  
Payam Moradian (Reg. No. 52,048)

KENYON & KENYON  
One Broadway  
New York, New York 10004-1050  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)  
CUSTOMER NUMBER: 26646

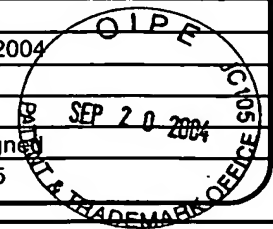
## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

Sheet 1 of 1

**Complete if Known**

<b>Application Number</b>	10/800,291
<b>Filing Date</b>	March 12, 2004
<b>First Named Inventor</b>	Toth et al.
<b>Art Unit</b>	1614
<b>Examiner Name</b>	To be assigned
<b>Attorney Docket Number</b>	2664/63005



## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		EP 0 577 957	January 12, 1994	J. Uriach & Cia, S.A.		
		WO 88/03138	May 5, 1988	Schering Corporation		
		WO 2004/029039	April 8, 2004	Morepen Laboratories Limited		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

***If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.***